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FAX TRANSMISSION

To	USPTO
Examiner	Michael P. Barker
Group Art Unit	1626
From	Michael C. Badia
Date	March 16, 2007
Application No.	10/749,121
Attorney Docket No.	VPI/02-05
Total Pages	16

Message or Comment

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Attorney Docket No.: VPI/02-05 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/749,121
Confirmation No.: 3285
Filing Date: December 30, 2003
Examiner: Michael P. Barker
Group Art Unit: 1626
Applicants: Jeffrey O. Saunders
For: SULFHYDANTOINS AS PHOSPHATE ISOSTERS

Certificate of Facsimile Transmission Under 37 CFR §1.8

I hereby certify that this correspondence and any documents referred to as attached hereto are being facsimile transmitted to the United States Patent and Trademark Office on March 16, 2007.


Lauren M. DeVincenzo

March 16, 2007
Cambridge, Massachusetts

Mail Stop Amendments
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

Transmitted herewith: ☒ an Amendment and Reply to Office Action; ☐ a Petition for Extension of Time; ☐ a Declaration; ☐ a Power of Attorney; ☐ a copy of a Notice to File Missing Parts; ☐ a Response to Notice to File Missing Parts; ☐ a Supplemental Declaration; ☐ an Associate Power of Attorney; ☐ a substitute Specification; ☐ formal drawings; ☐ Notice of Appeal; ☐ Appeal Brief; ☐ Petition for Revival; to be filed in the above-identified patent application.

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Applicants: Jeffrey O. Saunders et al.
 Application No.: 10/749,121

FEE FOR ADDITIONAL CLAIMS

☒ A fee for additional claims is not required.

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The additional fee has been calculated as shown below:

CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEES
TOTAL CLAIMS	-	* =	X \$ 50	= \$ 0
INDEPENDENT CLAIMS	-	** =	X \$ 200	= \$ 0
FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM		+	\$ 360	= \$

* If less than 20, insert 20.

TOTAL

\$ 0

** If less than 3, insert 3.

- ☐ A check in the amount of \$___ in payment of the filing fee is transmitted herewith.
- ☐ Please charge \$___ to Deposit Account No. 50-0725 in payment of the filing fee. A duplicate copy of this transmittal letter is transmitted herewith.
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. § 1.16, in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to deposit Account No. 50-0725. A duplicate copy of this transmittal letter is transmitted herewith.

MAR 16 2007

Applicants: Jeffrey O. Saunders et al.
Application No.: 10/749,121


EXTENSION FEE

- ☐ The following extension is applicable to the Response filed herewith; ☐ \$120.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); ☐ \$450.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a); ☐ \$1,020.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a); ☐ \$1,590.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a); ☐ \$2,160.00 within fifth month pursuant to 37 C.F.R. § 1.136(a).
- ☐ A check in the amount of ☐ \$120.00; ☐ \$450.00; ☐ \$1,020.00; ☐ \$1,590.00; ☐ \$2,160.00 in payment of the extension fee is transmitted herewith.
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MISCELLANEOUS FEES

- ☐ Please charge \$_____ to Deposit Account No. 50-0725 in payment of the for _____ (37 C.F.R. §_____).

Respectfully submitted,


Michael C. Badia, Reg. No. 51,424
Agent for Applicants
c/o Vertex Pharmaceuticals Incorporated
130 Waverly Street
Cambridge, Massachusetts 02139
Tel: (617) 444-6467
Fax: (617) 444-6483

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Attorney Docket No.: VPI/02-05 US

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Examiner: Michael P. Barke
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Respectfully submitted,


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Cambridge, Massachusetts

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Alexandria, VA 22313-1450

AMENDMENT AND REPLY TO OFFICE ACTION

Dear Sir:

This is in response to the February 28, 2007 Office Communication regarding a nonresponsive Amendment. Applicants have responded before the thirty day March 30, 2007 deadline. Consequently, this Reply is timely filed.

Introductory Comments begin at page 2 of this Reply.

Amendments to the claims begin at page 3 of this Reply.

Remarks begin at page 7 of this Reply.

Application No.: 10/749,121
Applicants: Jeffrey O. Saunders et al.

INTRODUCTORY COMMENTS

The Examiner suggests that "the amendment filed on January 12, 2007 canceling all claims drawn to the elected invention and presenting only claims drawn to a nonelected invention is nonresponsive." In response to the Examiner's notice, Applicants provide the following claim amendments indicated in the Claim Amendment section below: